

REMARKS

In response to the Non-Final Office Action mailed June 28, 2006, claims 1, 4, 9, 14, 15, 17, 22, 23, 25, 30, 31, and 53 have been amended. No claims have been newly added. Claims 35 and 46 were previously cancelled. Therefore claims 1-34, 36-44, and 45-62 remain pending. Support for the instant amendment is provided in the as-filed specification. Thus, no new matter has been added. In view of the foregoing amendments and following comments, allowance of all the claims pending in the application is respectfully requested.

A. Rejection Under 35 U.S.C. §112

Claims 1, 9, 17, 25, and 53 stand rejected under 35 U.S.C. §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Although Applicant disagree with the rejection set forth by the Examiner claims 1, 9, 17, 25, and 53 have been amended solely in an effort to expedite prosecution. Therefore, withdrawal of this rejection is earnestly sought.

B. Rejection Under 35 U.S.C. §102

Claims 1-34, 36-39, 41-45, 47-49, 51-57, 59, 60, and 62 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by Montlick (U.S. Patent No. 5,561,446). Applicant traverse this rejection for at least the reason that Montlick fails to anticipate each and every claimed feature.

One aspect of the claimed invention relates to a system and method for formatting content for display in accordance with a format specified by a selected one of a plurality of forms, wherein a form specifies one or more fields used to format the content. See

Applicants' Specification at least at pg. 26, line 7- pg. 27, line 4. Claim 1 recites among other things, the claim feature of "providing a form application associated with the selected form to format display of the transmissible media content according to the selected form." Claims 9, 17, 25 and 53 also recite this feature. Montlick fails to anticipate at least this claim feature.

Montlick discloses a system for filling out/marketing up medical forms using a pen-based computer. Particularly, Montlick is a system for entering handwritten marks onto a preexisting form using a pen-based computer. Montlick discloses the following:

The central computer system is provided with software for accessing a plurality of digitally stored forms and transmitting those forms to the pen-based computers in response to selection requests from the pen-based computers. A selected form is displayed on the screen of the pen-based computer which requests it and data is entered through the pen-based computer by handwriting on the position sensitive display which displays the form. The central computer system receives the data as electronic ink and associates the electronic ink file with the form which was displayed when the electronic ink file was created.

See Montlick, col. 2 line 63- col. 3 line 6

Montlick does not mention a method for formatting content for display according to one or more fields. Rather, Montlick discloses a system for filling out form fields whereas the claimed invention discloses formatting content for display according to one or more fields. The former fails to anticipate the latter. As such, Montlick fails to disclose suggest using a "selected form to format the transmissible media content according to the selected form."

As a further example, claim 1, recites, among other things, "a full form used to format the display of the transmissible media content according to all of the fields available for displaying the transmissible media content." Claims 9, 17, 25, and 53 recite

similar features. The Examiner alleges that Montlick anticipates the claimed full form by relying on Fig. 3a of Montlick. Fig. 3a shows a preexisting form filled out with handwritten marks on the form. The Examiner points to the handwritten markings used to fill the form fields (fig. 31, elements 51, 52, and 53) as evidence that Montlick discloses a full form. The claims, however, disclose a full form that formats the display of content. Clearly, a form that is filled out does not anticipate the claim feature of formatting the display of content according to all fields available.

For at least the foregoing reasons, the rejection is legally improper and should be withdrawn.

Dependent claims 2-8, 10-16, 18-24, 26-34, 36-39, 41-45, 47-49, 51, 52, 54-57, 59, 60, and 62 are allowable because they depend from one of allowable independent claims 1, 9, 17, 25, and 53, as well as for the features they recite.

C. Rejection Under 35 U.S.C. §103

Claims 1, 9, 17, 25, and 53 stand rejected under 35 U.S.C. §103 (a) as allegedly being unpatentable over a publication entitled “Learn Microsoft Office” by Russell A. Stiulz (herein referred to as “Stiulz”), in view of Kumar (U.S. Patent Publication No. 2006/0105804). Applicants traverse this rejection for at least the reason that the Examiner has failed to establish a prima facie case of obviousness. In particular, assuming *arguendo* that the references could be combined in the manner alleged by the Examiner (which is not admitted), the rejection would still be improper because the combination fails to disclose, teach or suggest all of the claim features.

Claim 1 recites, among other things, the claim feature of “enabling selection...of at least one form from the plurality of different forms for displaying the transmissible

media content.” Stiulz fails to disclose, teach or suggest this feature. Rather, Stiulz discloses well known features for creating a new email message. Creating an email message using conventional methods, as disclosed by Stiulz, fails to address the claim feature of enabling selection of a form from a plurality of forms. In fact, email message creation as disclosed by Stiulz prevents a user from selecting from a plurality of forms. The figure on pg. 544 of Stiulz discloses that messages are created using one standard message dialog. A message is created for transmission to a recipient. However, the format of display depends on the email, fax or other application used by the recipient to receive the email message. Creating a message using a standard message dialog as disclosed by Stiulz fails to disclose, teach or suggest the claimed feature of enabling selection of at least one form from a plurality of forms for displaying content.

Kumar does not cure this deficiency of Stiulz. Kumar appears to describe a portable computing device with a detachable handset providing communications, organizer, and/or entertainment functions (see Abstract). However, there is no teaching, suggestion, or motivation in Kumar to enable a user to select a form from a plurality of forms and format content in accordance with the selected form. Since the combination of Stiulz and Kumar fail to disclose, teach or suggest the invention claimed in independent claims 1, 9, 17, 25, and 53, these claims are allowable over Stiulz and Kumar.

Dependent claims 40, 50, and 58 stand rejected under 35 U.S.C. §103 (a) as allegedly being unpatentable over Montlick in view of U.S. Patent No. 7,010,616 to Carlson et al. (hereinafter “Carlson”). Dependent claim 61 stands rejected under 35

U.S.C. §103 (a) as allegedly being unpatentable over Montlick in view of U.S. Patent No. 6,169,911 to Wagner et al. (hereinafter “Wagner”).

Claims 40, 50, 58, and 61 are allowable because they depend from allowable independent claims 1, 9, 17, 25, and 53 as well as for the other features they recite. Moreover, Carlson and Wagner fail to cure the deficiencies of Montlick described above with regard to independent claims 1, 9, 17, 25, and 53. Accordingly, withdrawal of this rejection is earnestly sought.

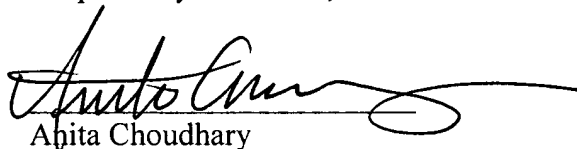
CONCLUSION

Having addressed each of the foregoing rejections, it is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, the application is in condition for allowance. Notice to that effect is respectfully requested. Applicant does not necessarily agree with all of the other statements made in the Office Action, but the foregoing is sufficient to overcome the rejections.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned.

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Respectfully submitted,



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